IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

WEDNESDAY, THE 21ST FEBRUARY 2007 / 2ND PHALGUNA 1928

WP(C).No. 4604 of 2007(S)

PETITIONERS:

1. **PARIPARAMPAN ABDUL AZEEZ HAJI,**
   S/O. MUHAMMED, VELLAKKAT PADI (V.K.PADI),
   P.O.MAMPURAM, THIRURANGADI,
   MALAPPURAM DISTRICT.

2. **PUDUKKADI ABDUL LATHEEF HAJI,**
   S/O. MOIDEEN KUTTY, VELLAKKAT PADI (V.K.PADI),
   P.O.MAMPURAM, THIRURANGADI,
   MALAPPURAM DISTRICT.

BY ADV. SRI.P.K.MUHAMMED

RESPONDENTS:

1. **HASSAIN HAJI K.P., S/O. LATE MUHAMMED,**
   GENERAL SECRETARY, DARUL ISLAM MADRASSA
   COMMITTEE, VELLAKKAT PADI (V.K.PADI),
   P.O.MAMPURAM, VIA. THIRURANGADI,
   MALAPPURAM DISTRICT.

2. **K.K.ATTAKOYA THANGAL,**
   S/O.SAID ALAVI KOYA THANGAL, PRESIDENT,
   DARUL ISLAM MADRASSA COMMITTEE,
   VELLAKKAT PADI (V.K.PADI), P.O.MAMPURAM,
   VIA. THIRURANGADI, MALAPPURAM DISTRICT.

3. **THOTTUNGAL MOHAMMED KUTTY HAJI,**
   S/O. AHAMMED, TREASURER, DARUL ISLAM MADRASSA
   COMMITTEE, VELLAKKAT PADI (V.K.PADI),
   P.O.MAMPURAM, VIA. THIRURANGADI,
   MALAPPURAM DISTRICT.

4. **KERALA WAKF BOARD, REPRESENTED BY**
   THE CHIEF EXECUTIVE OFFICER,
   WAKF BOARD OFFICE, ERNAKULAM.

BY ADV. SRI.R.RAMADAS
SRI.P.A.ABDUL JABBAR, SC, WAKF BOARD for R4

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 21/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC.NO.4604/2007 S

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: COPY OF THE REGISTRATION CERTIFICATE ISSUED TO V.K.PADI DARUL ISLAM MADRASSA COMMITTEE DTD. 14/07/1999.

EXT.P2: COPY OF THE MEMORANDUM OF ASSOCIATION OF V.K.PADI DARUL ISLAM MADRASSA COMMITTEE DTD. 14/07/1999.

EXT.P3: COPY OF THE BYE-LAW OF V.K.PADI DARUL ISLAM MADRASSA COMMITTEE.

EXT.P4: COPY OF PETITION NO.128/2006 FILED BY THE PETITIONERS BEFORE 4TH RESPONDENT DTD. 25/10/2006.

EXT.P5: COPY OF I.A.IN PETITION NO.128/2006 FILED BY THE PETITIONERS BEFORE 4TH RESPONDENT.

EXT.P6: COPY OF THE JUDGMENT IN WP(C) NO.28635/06 PASSED BY THE HON'BLE HIGH COURT DTGD. 8/11/2006.

EXT.P7: COPY OF THE NOTICE PUBLISHED BY THE 1ST RESPONDENT DTD. 25/01/2007.

/TRUE COPY/

Kss

KURIAN JOSEPH & K.T.SANKARAN,JJ.

W.P(C).No. 4604 of 2007

Dated this the 21st day of February, 2007

JUDGMENT

Kurian Joseph,J.

The writ petition is filed with the following prayer:-

> (i) Issue a writ of mandamus or other appropriate writ, order or direction compelling the 4th respondent to stop the proposed election to the new managing committee V.K.Padi Darul Islam Arabic Madrassa Committee scheduled on 11-2-2007, till the final disposal of Exts.P4 and P5.

It is submitted that the parties have entered appearance before the Wakf Board in Exts.P4 and P5. There will be a direction to the Wakf Board to dispose of Exts.P4 and P5 within a period of three months from the date of production of a copy of this judgment.

The writ petition is disposed of as above.

(KURIAN JOSEPH, JUDGE)

(K.T.SANKARAN, JUDGE)

ahg.

After having perused the explanation offered by the registry we feel that the following direction is to be issued in the interests of the institution.

The Registrar (Judicial) is directed to ensure that the interim orders passed by the court are also served along with the notice, when notice is served through special messenger.

(KURIAN JOSEPH, JUDGE)

21-2-2007 (K.T.SANKARAN, JUDGE)